

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

JUDGMENT IN A CIVIL CASE

JOHN W. SMITH,

Petitioner,

v.

CASE NO. 2:10-CV-00195

JUDGE MARBLEY

MAGISTRATE JUDGE ABEL

MICHAEL SHEETS, WARDEN,

Respondent.

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the December 7, 2011 Opinion and Order, the Petitioner's motion to amend judgment is **GRANTED**. Final Judgment is amended to reflect that the request for a certificate of appealability is **GRANTED**.

Date: December 7, 2011

James Bonini, Clerk

s/Betty L. Clark
Betty L. Clark/Deputy Clerk